United Nations A/ES-10/PV.26

General Assembly
Emergency Special Session

Official Records

26th meeting
Monday, 19 July 2004, 3 p.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 3.15 p.m.

Agenda item 5 (*continued*)

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Note by the Secretary-General (A/ES-10/273 and Corr.1)

Draft resolution (A/ES-10/L.18)

The President: Members will recall that a provisional version of the draft resolution before the Assembly in document A/ES-10/L.18 was distributed to Member States on Friday, 16 July 2004.

I now give the floor to the representative of Jordan.

Mr. Zoubi (Jordan): Last Friday, 16 July, Jordan, on behalf of the Group of Arab States and the group of sponsors, which is listed in document A/ES-10/L.18, presented a draft resolution entitled "Advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem". There is a correction to be made to the document. In the list of sponsors, the word "Mauritius" should by replaced by the word "Mauritania". Additionally, Iraq and Belize have joined the list of sponsors.

In order to allow ample time for negotiations, a revised text will be produced at a later stage and will be available in this room at 5 p.m. today. We hope that action will be taken tomorrow on the draft text as revised.

The President: I would like to inform members that as reflected in that statement, further consultations are obviously still going on concerning draft resolution A/ES-10/L.18. Action on the draft resolution is therefore postponed until a later date, to be announced in the *Journal*.

I call on the representative of Israel.

Mr. Gillerman (Israel): I feel that I may have contributed in a very minor way to saving the honour and the grace of some members here because, having been summoned here for exactly 90 seconds would, I think, have been a humiliating waste of time for most of us.

In that context, I wish to protest this meeting. I am sure that most of the representatives around this table have more important things to do than to listen to a 30-second statement that says nothing about where we are or about this draft resolution. We were summoned on Friday. A meeting was called for today. Now we are being told that another meeting is going to be called and I fail to understand the purpose of this meeting.

I feel that the United Nations, the General Assembly and, on a personal level, each and every person in this room are being taken for a ride and abused by the Palestinian observer and people who represent the Palestinian cause. I would like to point out to members of the General Assembly that it seems that the Palestinians should be the last people to preach to us, to the world

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community, about law and order and about international law.

I said on Friday that the Palestinian Authority was a very real case in which the inmates have taken over the asylum. Each and every one of us has witnessed what has happened since that Friday: the head of the Palestinian police force was first kidnapped and then freed; French nationals were kidnapped and then freed; other people were kidnapped; a new person was named to head the Palestinian police force and then fired; the Palestinian Prime Minister has resigned.

This is a state of total lawlessness and I think that we should all bear in mind who the Palestinian observer represents and whether we really want to be preached to any further about law and order, about international law, by that entity. And I think that what has been initiated here today adds insult to injury in that respect.

The President: I now give the floor to the observer of Palestine.

Mr. Al-Kidwa (Palestine): In reference to the statement by the hopeless previous speaker, I just want to make a few comments.

The draft resolution contained in document A/ES-10/L.18 relates to a case brought by the General Assembly in relation to the conduct of Israel, the occupying Power, before the International Court of Justice.

It is not Palestine versus Israel. It is the United Nations and the General Assembly versus the occupying Power, which is the only remaining colonial Power in the world — a country that is involved in colonizing the land of the indigenous people of Palestine, a country that has consistently been violating the provisions of the Charter of the United Nations, United Nations resolutions, the relevant provisions of international law, and all rules and norms related to proper conduct and even to morality.

I am not going to dwell on that statement. I will nevertheless take this opportunity to clarify a few things in relation to the draft resolution.

The draft resolution which was distributed last Friday already enjoys broad support among the members of the Assembly; I do not believe that I am revealing any secret in this regard. Nevertheless, it is, in the end, the International Court of Justice, and the sponsors felt that, given the importance of the matter, we should try to muster near-unanimity among the Members of the United Nations. One important group in particular is seriously engaged in negotiations, but, for obvious reasons, could not reach a final decision.

We had intended to invite members to take action on the draft resolution today. We believe that all of the discussions, contacts and negotiations that have taken place will lead to the first revised text in a few hours — perhaps two hours.

We also took into consideration once again the need for Member States to have ample time to look at the revised text, once it has been arrived at. In the past, some Member States have stressed the need for this, and we obviously respect that. That is why the sponsors, represented by Jordan, proposed that the voting be postponed until tomorrow, in spite of the fact that the revised text will be available today, and in spite of the importance of the time factor for us.

The bottom line, then, is very clear. There are still some negotiations under way aimed at broadening support even further. In addition, we believe that it is everyone's right to take the necessary time to consult with capitals before action is taken.

The sponsors of the draft resolution, as Jordan noted, intend to request the President of the Assembly to allow a vote tomorrow — hopefully in the afternoon, so, again, people have enough time.

Negotiations and the taking of positions in deference to one another might not be something that is very familiar to a minority here, but we try our best at least to behave in that way.

I should like to thank you, Mr. President, as well as the members. We regret any inconvenience. Nevertheless, we believe that everyone understands the importance of the matter. It is not something that happens every day, and adequate attention should be given and the necessary time allotted to the draft resolution. Again, we hope that your schedule will allow action to be taken on this draft resolution tomorrow afternoon.

Mr. Zoubi (Jordan): The representative of Israel said that I wasted half a minute of the Assembly's time. I apologize to the rest of the members, because I did not intend to take them for a ride

I hope I did that in six seconds.

The President: Before I bring the meeting to a close, I just want to make one point, which concerns something that bothered me even before I took over as President of the General Assembly.

I really want to caution against the language being used in matters that are ticklish in debates which sometimes have the tendency of being more inflammatory and not necessarily helping the cause. I really want to make it clear that, for whatever reason — and I do not really care who is upset — I really object to any analogy that is made, particularly from the inside, which may have a tendency to describe us in the Assembly as inmates in an asylum. I think that we can find better language to use in terms of describing the debates that are taking place here in what I consider the mother and the father of all democracies.

Our job here is to debate issues, no matter how long it takes, no matter how innocuous they may appear. But the fact is that that is what we are here to do, and I sincerely hope that all of us understand the basis of the reason why we are here at the United Nations and attempt to give the dignity that this Organization deserves to these debates as and when they occur.

The meeting rose at 3.35 p.m.